

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

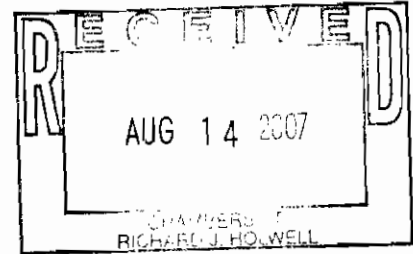
CAPITALIA ASSET MANAGEMENT SGR,
S.p.A. and CAPITALIA INVESTMENT
MANAGEMENT S.A.,

Plaintiffs,

vs.

VIVENDI UNIVERSAL, S.A., JEAN-MARIE
MESSIER and GUILLAUME HANNEZO,

Defendants.



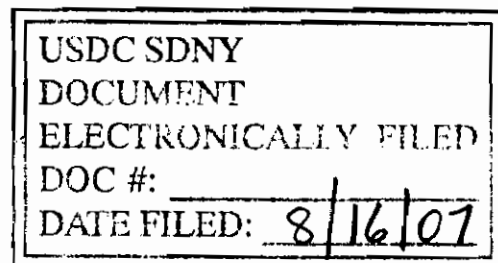
ECF CASE

07 Civ. 5742 (RJH)(HBP)

STIPULATION AND ORDER

WHEREAS, by letter dated July 12, 2007, Plaintiffs requested Defendant Vivendi Universal, S.A. ("Vivendi") and Defendant Jean-Marie Messier ("Messier") to waive service of a summons in this action pursuant to Federal Rules of Civil Procedure Rule 4(d); and

WHEREAS, pursuant to Rule 4(d), on August 13, 2007, both Vivendi and Messier executed the waiver of service of a summons form provided by Plaintiffs, thereby requiring Vivendi and Messier to move against or answer the complaint no later than September 10, 2007.

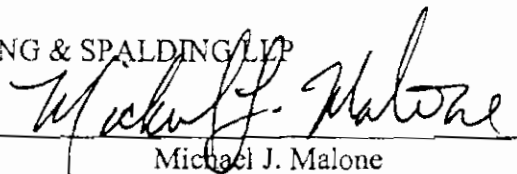


IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned, that Vivendi and Messier shall move against or answer the complaint no later than November 1, 2007, provided, however, that submission of a pre-motion conference letter by Vivendi or Messier pursuant to Rule 3(A) of Judge Holwell's Individual Practices no later than November 1, 2007, shall constitute a timely response.

August 13, 2007

KING & SPALDING LLP

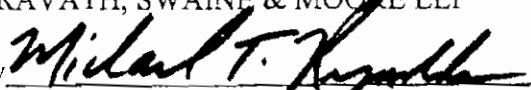
by



Michael J. Malone
Richard T. Marooney
Lisa Albert

CRAVATH, SWAINE & MOORE LLP

by



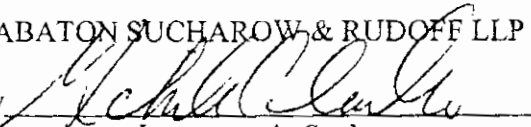
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Members of the Firm

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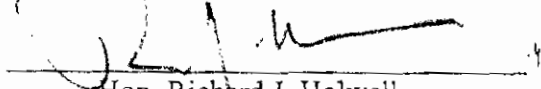
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SO ORDERED:



Hon. Richard J. Holwell
United States District Judge

8/14/07